

REMARKS

Claims 1-17 remain pending in the present application. Claims 1, 5, 6, 7, 8 and 16 have been amended. Claim 17 is new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 112

Claim 16 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 16 has been amended to claim a mobile phone used as a client terminal. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3 and 8-10 are rejected under 35 U.S.C. § 102(e) as being anticipated by An, et al. (U.S. Pat. No. 6,031,904). As the Examiner points out, An, et al. discloses a directory number (DN) and a personal identification number (PIN) that identify a telephone subscriber. However, the DN or PIN has nothing to do with identifying a maker or a manufacturer of a telephone terminal that the subscriber is now using.

The gist of the present invention resides in that, in communication between a client terminal such as a mobile phone and a server such as an exclusive server in a client server system, the maker (or the manufacturer) of the client terminal is identified, and that, if the identified maker is a predetermined one, contents stored in the server

are allowed to be downloaded by that particular client terminal. If the client terminal is made someone else, the downloading is prohibited.

It is quite common that client terminals manufactured by plural makers are used in a client server system. Suppose there are three client terminal makers, A, B and C, and A administers one exclusive server storing contents that are intended to be downloaded only by the clients who are using the terminal made by A. The contents are made available only to the clients who are using the terminal made by A. Thus, the terminal maker A is able to give special merits to the clients who are using the terminal made by A. This contributes to promotion of terminal sales. Nothing about identifying the maker of the client terminals is disclosed in or suggested by any one of the cited references, alone or in combination.

Claim 1 defines means for specifying the client terminal by a code identifying a maker of the client terminal. In addition, Claim 1 now defines means for supplying information stored in the exclusive server only to the specified client terminal.

Thus, Applicant believes Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2 and 3, which depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 8 has been amended to define the locator being installed only to the client terminal manufactured by the maker administering the exclusive server.

Thus, Applicant believes Claim 8, as amended, patentably distinguishes over the art of record. Likewise, Claims 9 and 10, which ultimately depend from Claim 8, are

also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 4, 6, 12 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over An further in view of Fujiwara, et al. (U.S. Pat. No. 6,064,879). Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over An and Fujiwara further in view of Lawande, et al. (U.S. Pat. No. 6,219,697). Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over An further in view of Hayashi (U.S. Pat. No. 6,650,913). Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over An further in view of Lawande, et al. (U.S. Pat. No. 6,219,697). Claims 13, 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over An and Fujiwara further in view of Marshall (U.S. Pat. No. 6,735,487).

Claims 4 and 5 ultimately depend from Claim 1. As stated above, Claim 1 has been amended and is now believed to patentably distinguish over the art of record. Thus, Claims 4 and 5 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Regarding Claim 6, the argument and discussion detailed above apply also to Claim 6. Claim 6 has been amended to define the locator as being installed only to the client terminal manufactured by the maker administering the exclusive server.

Thus, Applicant believes Claim 6, as amended, patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

Regarding Claim 7, the argument and discussion above apply also to Claim 7. Claim 7 has been amended to define that the contents stored in the exclusive server are made available exclusively to the mobile phone made by the maker and having the browser.

Thus, Applicant believes Claim 7, as amended, patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 11-16 ultimately depend from Claim 8. As stated above, Claim 8 has been amended and is now believed to patentably distinguish over the art of record. Thus, Claims 11-16 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

NEW CLAIM

New Claim 17 is an independent claim which defines a memory storing a code identifying a maker of the client terminal and means for transmitting the code to a specified server. Thus, Applicant believes Claim 17 is allowable over the cited art.

PRIORITY DOCUMENTS

On the Office Action Summary sheet, the Examiner checked Box 12 and Box 12-a, but did not check Box 12-a-1 to acknowledge that copies of the priority document have been received. Applicant respectfully requests the Examiner to acknowledge receipt of these documents.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 
Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg